

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION

CRIMINAL CASE #: 9:23-CR-00394-RMG

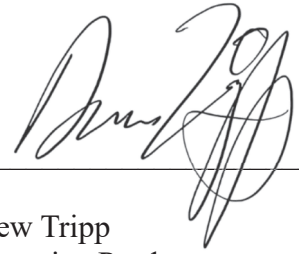
UNITED STATES OF AMERICA)	MEDIA RESPONSE TO ORDER
)	GRANTING <i>MOTION TO SEAL</i>
vs.)	<i>SENTENCING MEMORANDUM AND</i>
)	<i>MOTION FOR DOWNWARD VARIANCE</i>
CORY HOWERTON FLEMING)	<i>AND EXHIBITS BY CORY H. FLEMING</i>

The following comes in response to the Court’s Order (Dkt. No. 27) on August 9, 2023, granting defendant Cory Howerton Fleming’s motion to file under seal his Sentencing Memorandum, Motion for Downward Variance, and Associated Exhibits (Dkt. No. 26) ahead of the defendant’s sentencing hearing set for August 15, 2023.

Respondent is a professional journalist documenting the broad criminal and civil conspiracy saga as outlined in *USA v. Fleming*, *USA v. Murdaugh* (9:23-cr-00396), *USA v. Laffitte* (9:22-cr-00658), and *Nautilus v. Murdaugh, et al* (2:22-cv-01307) — over all of which Your Honor presides. As such, Respondent requests the Court consider a less restrictive remedy adequately addressing Defendant Fleming’s privacy concerns without discounting the significant public interest in the developments of these associated cases.

Such a remedy is achievable as demonstrated by the Court’s recent Order in the matter of *USA v. Laffitte* (Dkt. No. 309), in which Your Honor cited *In Re: Knight Publishing Co.* (4th Cir. 1984) and *USA v. Harris* (4th Cir. 2018) as sufficient justification to order “portions” of the documents in question remain under seal while “the balance” should be filed on the public record. Respondent feels a similar order here would satisfy Defendant Fleming’s privacy concerns while affording the public a fair opportunity before sentencing to scrutinize arguments put forth in the Defendant’s memorandum.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Drew Tripp', is positioned above a horizontal line.

Drew Tripp
Executive Producer
WCIV-TV (ABC News 4)
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August 9, 2023